

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

WHEREVERTV, INC.,

Plaintiff,

v.

Case No: 2:18-cv-529-FtM-32NPM

COMCAST CABLE  
COMMUNICATIONS, LLC,

Defendant.

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**ORDER AND NOTICE CONVERTING HEARING**

**TAKE NOTICE** that the in-person Markman hearing scheduled for **JUNE 12, 2020 at 10:00 a.m.** (Doc. 135), will now take place by **ZOOM VIDEO CONFERENCE HEARING** on the same date and time. The video conference will be activated at 9:50 a.m. so the hearing may start promptly at 10:00 a.m.

The Courtroom Deputy will email the Zoom video conference invitation to counsel of record using the email addresses listed on the Court's docket for this case. Counsel may share the information with the parties, but no one else. Members of the public or press who wish to observe the proceedings may request access to the virtual hearing by emailing the Courtroom Deputy at [marielena\\_diaz@flmd.uscourts.gov](mailto:marielena_diaz@flmd.uscourts.gov) to receive a Zoom invitation.

**To reduce background audio interference, participants must put themselves on mute when not speaking. Additionally, each person must identify themselves when speaking so the court reporter can accurately report the proceedings.**

Persons granted remote access to this video conference hearing are reminded of the general prohibition against recording and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanction deemed necessary by the Court.

In preparation for the hearing, the Court hereby **ORDERS**:

1. The Court is unlikely to rule on the pending discovery motions (Docs. 137, 148) prior to the Markman hearing. The parties shall file a Notice by **June 5, 2020** if either discovery motion has an effect on the Markman hearing and/or the Court's disposition of claim construction.

2. The parties shall meet and confer as to whether any of the 12 claim terms no longer require construction. If any of the 12 claims are no longer at issue, or the parties were able to come to an agreement on any previously disputed issues that affect claim construction, the parties shall file a Notice to inform the Court by **June 5, 2020**.

3. The Court will also consider Plaintiff's Motion for Leave to Supplement the Claim Construction Record Based on New Evidence (Doc. 133) at the Markman hearing.

4. The parties shall submit a "Notice of Filing" in CM/ECF by **June 5, 2020**, attaching any demonstratives, charts, exhibits, lists, side-by-side comparisons, etc. that they want to utilize during the hearing. These submissions should be formatted

so that both the Court and opposing counsel will easily be able to be on the “same page” as the presenter of the argument.

**DONE AND ORDERED** in Jacksonville, Florida the 22nd day of May, 2020.



TIMOTHY J. CORRIGAN  
United States District Judge

Copies to:  
Counsel of Record